

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

SHIRA SCOTT

PLAINTIFF

v.

CIVIL NO. 3:24-cv-44-SA-RP

**MARTIN O'MALLEY,
Commissioner of Social Security**

DEFENDANT

ORDER

On this date came for consideration Defendant's Unopposed Motion to Remand and Enter Judgment and Supporting Memorandum, and the Court being advised in the premises is of the opinion that said Motion should be granted. It is therefore

ORDERED that Defendant's November 2023 unfavorable final decision denying Plaintiff's claims for disability insurance benefits under Title II of the Social Security Act, 42 U.S.C. §§ 416(i) and 423, and supplemental security income under Title XVI of the Act, 42 U.S.C. § 1382c(a)(3), shall be reversed and remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g) and *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

Specifically, on remand an ALJ will evaluate the persuasiveness of the medical opinions under 20 C.F.R. §§ 404.1520c, 416.920c, including the factors of supportability and consistency. In addition, the ALJ will further evaluate Plaintiff's residual functional capacity. As the case was previously remanded to the same ALJ (H.J. Barkley, III), the case will now be assigned to a different ALJ, who will provide Plaintiff the opportunity for another hearing.

SIGNED this 25th day of July, 2024.


UNITED STATES DISTRICT JUDGE